

JAMIE LYNN GALLIAN
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IN PRO PER

**UNITED STATES BANKRUPTCY COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA DIVISION**

In re: Case No. 8:21-bk-11710-SC
Chapter 7

JAMIE LYNN GALLIAN,

Honorable Scott C. Clarkson

Debtor.

**DEBTOR'S REPLY AND OBJECTION TO
HOA'S PRELIMINARY OPPOSITION
[DOC 252] TO DEBTOR'S DECLARATION
THAT NO PARTY FILED AND SERVED A
TIMELY NOTICE OF OPPOSITION AND
REQUEST FOR HEARING TO DEBTOR'S
AMENDED MOTION TO AVOID LIEN
UNDER 11 U.S.C. §522(f) DOC 244;
DECLARATION OF JAMIE LYNN
GALLIAN**

[NO HEARING REQUIRED]

**TO THE HONORABLE SCOTT C. CLARKSON, UNITED
STATES BANKRUPTCY JUDGE, THE OFFICE OF THE UNITED STATES
TRUSTEE, THE TRUSTEE AND HIS COUNSEL, AND DIRECTLY RELATED
PARTIES:**

JAMIE LYNN GALLIAN ("Debtor") hereby files this Reply and Objection
TO HUNTINGTON BEACH GABLES HOMEOWNERS ASSOCIATION
("HOA") PRELIMINARY OPPOSITION [DOC 252] TO DEBTOR'S 10/21/2022, FILED
DECLARATION THAT NO PARTY FILED AND SERVED THE DEBTOR IN PRO PER
TIMELY NOTICE OF OPPOSITION AND REQUEST FOR HEARING AT THE ADDRESS
LISTED IN THE LEFT HAND CORNER OF THE NOTICE OF MOTION TO DEBTOR'S
AMENDED MOTION TO AVOID LIEN UNDER 11 U.S.C. §522(f) [DOC 244].& [245].

1 I, Jamie Lynn Gallian make this declaration in Support of Debtor's Reply and
2 Objection to Huntington Beach Gables Homeowners Association ("HOA") "Preliminary
3 Opposition" to Debtor's October 7, 2022, Notice of Opportunity to Request a Hearing [DOC
4 245] and Debtor's October 21, 2022, Declaration that no party filed Notice of request hearing.

5 2. I have personal knowledge of the facts set forth herein. If called as a witness, I could
6 and would competently testify thereto.

7 3. I am the Movant.

8 4. On 10/07/2022 Movant filed a motion or application (Motion) entitled: (1)Debtor's
9 Notice Of Motion And Motion To Avoid Lien Under 11 U.S.C. § 522(f) Real Property Amended:
10 (2) Notice of Opportunity to Request a Hearing. [DOC 245]

11 5. A copy of the Motion and Notice of Motion was attached to the declaration served.

12 6. On 10/07/2022 Movant served a copy of the notice of motion or the Motion and
13 Notice of Motion on required parties using the Courts NEF system on the Proof of Service of
14 the Notice of Motion.

15 7. Pursuant to LBR 9013-1 (o), the Notice of Motion provides that the deadline to file and
16 serve a written response and request for a hearing is 14 days [after] the date of service of the
17 notice of motion, plus 3 additional days if served by mail, or pursuant to F.R.Civ.P. 5(b)(2)(0) or
18 (F).

19 8. More than 14 days past after Movant served the Notice of Motion.

20 9. I checked the docket for this bankruptcy case and/or adversary proceeding, and no
21 response and request for hearing was timely filed by the Huntington Beach Gables Homeowners
22 Association.

23 10. No response and request for hearing was timely served on Movant via at the street
24 address or email address, specified in the left hand corner of the notice of motion.

25 11. Based on the foregoing, and pursuant to LBR 9013-1 (o), a hearing is not required.

26 12. Movant requests that the court grant the motion and enter an order without a
27 hearing.

28 I declare under penalty of perjury under the laws of the United States that the foregoing is true
and correct.

Dated 10/23/2022

Jamie Lynn Gallian
JAMIE LYNN GALLIAN

PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is: 5801 Skylab Road Huntington Beach, CA 92647

A true and correct copy of the foregoing document entitled (*specify*): **DEBTOR'S REPLY AND OBJECTION TO HOA'S PRELIMINARY OPPOSITION DOC 252 TO DEBTOR'S DECLARATION THAT NO PARTY FILED AND SERVED A TIMELY NOTICE OF OPPOSITION AND REQUEST FOR HEARING TO DEBTOR'S AMENDED MOTION TO AVOID LIEN UNDER 11 U.S.C. §522(f) DOC 244; DECLARATION OF JAMIE LYNN GALLIAN IN SUPPORT THEREOF.**

will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner stated below:

1. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING (NEF): Pursuant to controlling General Orders and LBR, the foregoing document will be served by the court via NEF and hyperlink to the document. On October 23, 2022, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following persons are on the Electronic Mail Notice List to receive NEF transmission at the email addresses stated below:

XX Service information continued on attached page

2. SERVED BY UNITED STATES MAIL:

On (*date*) August 30, 2022, I served the following persons and/or entities at the last known addresses in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States mail, first class, postage prepaid, and addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

3. SERVED BY PERSONAL DELIVERY, OVERNIGHT MAIL, FACSIMILE TRANSMISSION OR EMAIL (*state method for each person or entity served*): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on (*date*) October 23, 2022, I served the following persons and/or entities by personal delivery, overnight mail service, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on, or overnight mail to, the judge will be completed no later than 24 hours after the document is filed.

- The Honorable Scott C. Clarkson, USBC, 411 West Fourth Street, Santa Ana, CA 92701
(document delivery is suspended due to COVID 19 protocols)

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

October 23, 2022
Date

Robert McLelland
Printed Name

Robert McLelland
Signature

Mailing Information for Case 8:21-bk-11710-SC

Electronic Mail Notice List

The following is the list of parties who are currently on the list to receive email notice/service for this case.

- Aaron E DE Leest adeleest@DanningGill.com, danninggill@gmail.com;adeleest@ecf.inforuptcy.com
- Robert P Goe kmurphy@goeforlaw.com, rgoe@goeforlaw.com;goeforecf@gmail.com
- Jeffrey I Golden (TR) lwerner@wgllp.com, jig@trustesolutions.net;kadele@wgllp.com
- D Edward Hays ehays@marshackhays.com, ehays@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com;cmendoza@marshackhays.com; cmendoza@ecf.courtdrive.com
- Brandon J Iskander biskander@goeforlaw.com, kmurphy@goeforlaw.com
- Eric P Israel eisrael@DanningGill.com, danninggill@gmail.com;eisrael@ecf.inforuptcy.com
- Laila Masud lmasud@marshackhays.com, lmasud@ecf.courtdrive.com;kfrederick@ecf.courtdrive.com
- Mark A Mellor mail@mellorlawfirm.com, mellormr79158@notify.bestcase.com
- Valerie Smith claims@recoverycorp.com
- United States Trustee (SA) ustpreion16.sa.ecf@usdoj.gov